REMARKS

Re-examination and allowance of the present application is respectfully requested.

The Examiner objects to claim 4 as containing a minor informality therein. Applicants thank the Examiner for noting the informality, and have amended the claim, paying particular attention to the concern raised by the Examiner. In view of the current amendment, Applicants submit that the ground for the objection to claim 4 no longer exists. Accordingly, the Examiner is respectfully requested to withdraw the objection to claim 4.

Claim 3 stands rejected under 35 U.S.C. § 112, second paragraph as being unclear. By the current amendment, Applicants amend claim 3 to clarify the phrase "removed and mounted". In particular, Applicants amend claim 3 to clarify that this phrase indicates the external memory is mounted in the apparatus after it was removed. In view of the present amendment, Applicants submit that the ground for the 35 U.S.C. § 112, second paragraph rejection of claim 3 no longer exists, and respectfully request that it be withdrawn. Further, Applicants submit that the amendment to claim 3 merely clarifies the claimed invention, and does not narrow the claim. Thus, no estoppel should apply thereto.

Applicants respectfully traverse the Examiner's 35 U.S.C. § 102(e) rejection of claims 1, 2, 5 and 8 as being anticipated by U.S. Patent No. 6,446,177 to TANAKA et al. According to a feature of the present invention, identification data created by an identification generator is used to identify the external memory individually. Applicants submit that at least this feature is lacking in TANAKA et al. Specifically, Applicants submit that in TANAKA et al., identification information, made up of characters, is stored in a system apparatus as well as a memory and, but that TANAKA et al. does not provide a clear disclosure that the identification information stored in each memory card differs from one memory card to another. Thus, the possibility exists in TANAKA et al. that the same identification information may be written to a plurality of memory cards, making it impossible

to determine whether the memory card that has been removed and the memory card that is thereafter attached are the same (identical). Accordingly, Applicants submit that the present invention, as defined by the claims, is not anticipated by TANAKA et al. Thus, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection be withdrawn.

Applicants also respectfully traverse the various 35 U.S.C. § 103(a) rejections of the claims, submitting that neither U.S. Patent No. 6,631,427 to KUBO, or U.S. Patent No. 6,038,199 to PAWLOWSKI et al. disclose or suggest that which is lacking in TANAKA et al. That is, neither KUBO or PAWLOWSKI et al. disclose or suggest using identification data to identify a selectively attachable external memory card individually, in order to control the recording of data to a desired (e.g., correct) external memory. Thus, even if one attempted to combine the teachings of KUBO and/or PAWLOWSKI et al., either individually or in the combinations suggested by the Examiner, one would fail to arrive at the presently claimed invention, as such combinations would fail to include generating identifying data that identifies an external memory individually.

By the current amendment, Applicants amend the claims to clarify that the identification data identifies the external memory individually, and that a message is displayed indicating that the external memory that is attached to the digital recording and reproducing apparatus differs from a prior attached external memory, when the identification data are different for each external memory. Since the present invention detects the attachment of a different external memory, the situation of, for example, TANAKA et al., in which it is impossible to know why a recording or reproducing operation does not resume when a different external memory is attached to the apparatus, is avoided. As at least this feature is not disclosed or suggested by the applied art of record, Applicants submit that the present invention is allowable over the art of record, and respectfully request such an indication from the Examiner.

SUMMARY AND CONCLUSION

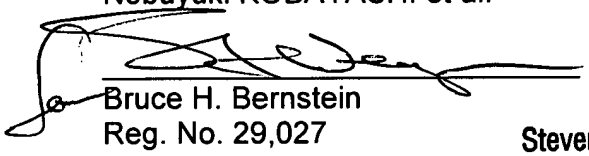
In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. § 1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. § 1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Nobuyuki KOBAYASHI et al.



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